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April 24, 2014

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The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Mr. Chairman:

On April 23, 2014, you announced that the draft Open Internet Notice of Proposed Rulemaking will be placed on the May 15th Open Agenda Meeting and subsequently be open to public comment and then the FCC will craft and vote on final rules. I am writing today to request that the Commission follow Executive Order 13563 initiated by President Obama.

As you know, on July 11, 2011, President Obama formally asked independent agencies to join executive agencies in reducing regulations that place unnecessary burdens on American businesses and the American people that was outlined in Executive Order 13563. The President was right to ask independent agencies such as the FCC to join in this effort.

I believe that regulatory reform continues to be a top priority as it will increase investment, spur innovation, increase competition and create jobs, especially in my home state of Tennessee. That is why the FCC in its review of the Open Internet Notice that the agency follow Executive Order 13563 which states that each agency must, among other things, propose or adopt a regulation only upon a reasoned determination that its benefits justify the costs.

Congress has clearly stated that it is the policy of the United States to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation. It is important to understand the implications of the proposed FCC action will have in preserving the competitive free market that has long existed for the Internet and its impact on jobs.

Over the last fifteen years, we have all witnessed an explosive growth in innovation and investment in infrastructure. Before any rule of this magnitude goes into effect, it is imperative that we fully understand the impact this regulation will have on our economy. Failure to fully understand the cost benefits of this rule could slow our economic recovery and harm job creation.

Will you conduct a cost benefit analysis pursuant to the format outlined in the President's Executive Order? If not, please provide me with a detailed explanation of why such an analysis is not necessary in your opinion.

Sincerely,

A handwritten signature in blue ink that reads "Marsha Blackburn". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marsha Blackburn
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 19, 2014

The Honorable Marsha Blackburn
U.S. House of Representatives
217 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Blackburn:

Thank you for contacting me to express your views on cost-benefit analysis in rulemaking proceedings and the proposed Notice of Proposed Rulemaking (NRPM) on the Open Internet.

Cost-benefit analysis is one of many valuable tools used in certain circumstances by regulatory agencies, including the FCC, to assist in the evaluation of a proposed regulatory course of action. Since President Obama issued Executive Orders 13563 and 13579 in 2011, the Commission has endeavored to act consistently with the cost-benefit analysis principles articulated in those orders in its rulemaking proceedings. This includes consideration of quantifiable, monetized costs and benefits associated with a proposed regulatory approach, as well as careful consideration of those costs and benefits that are not as easily quantifiable or monetized. The agency will conduct the Open Internet rulemaking proceeding following the same principles and guidelines.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", is positioned above the printed name.

Tom Wheeler